



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

MAR 15 2006

AMERICAN LOBSTER FINAL RULE And SMALL ENTITY COMPLIANCE GUIDE

Lobster management measures are effective May 1, 2006

To All Interested Government Agencies, Public Groups and Federal American Lobster Permit Holders:

This letter is to inform you that NOAA's National Marine Fisheries Service (NMFS) published in the Federal Register a final rule on Federal American lobster management in the Exclusive Economic Zone (EEZ). This final rule addresses American lobster management measures recommended by the Atlantic States Marine Fisheries Commission (Commission) following approval of Addendum II and Addendum III to Amendment 3 of the Interstate Fishery Management Plan for American Lobster. The new American lobster regulations will provide increased protection to egg bearing female lobsters and broodstock lobsters in certain Lobster Conservation Management Areas (LCMAs) and complement existing state regulations currently in effect. In addition, there are four measures that will further clarify existing Federal lobster regulations.

The lobster broodstock management measures are effective May 1, 2006, and will:

- **revise the Egg Per Recruit overfishing target timeline** of F10 from the year 2005 to the year 2008;
- **increase the lobster minimum legal carapace size limit** from 3 1/4 inches (8.26 centimeters (cm)) to 3 3/8 inches (8.57 cm) in LCMA 2 (inshore Southern New England), LCMA 3 (offshore waters), LCMA 4 (inshore Northern Mid-Atlantic), LCMA 5 (inshore Southern Mid-Atlantic), and the Outer Cape Management Area;
- **increase the rectangular lobster trap escape vent size** from 1 15/16 inches x 5 3/4 inches (4.92 cm x 14.61 cm) to 2 inches x 5 3/4 inches (5.08 cm x 14.61 cm) in LCMAs 2, 3, 4, 5, and the Outer Cape;
- **increase the circular lobster trap escape vent size** from 2 7/16 inches (6.19 cm) to 2 5/8 inches (6.67 cm) in LCMAs 2, 3, 4, 5, and the Outer Cape;
- **implement a 5 1/4 inch (13.34 cm) maximum legal carapace size** on possession of female lobsters in LCMA 4, and 5 1/2 inches (13.97 cm) in LCMA 5, with an allowance for individuals engaged in recreational fishing to possess one female lobster per fishing trip in excess of the maximum carapace length;
- **require mandatory V-notching of female lobsters carrying eggs in LCMA 1**



(Gulf of Maine) and in LCMA 3 above the 42°30' North latitude line;

- **require a zero tolerance definition of V-notched female lobsters in LCMA 1;** and
- **implement a 5 mile (8 kilometer) overlap boundary area** between LCMA 3 and 5.

To clarify existing regulations, the measures will:

- **allow a change in the LMCA designations** of a fishing vessel with a Federal lobster permit upon sale, transfer, or within 45 days of the permit's effective date;
- **clearly reference other laws and regulations** applicable to Federal lobster permit holders;
- **clearly prohibit hauling or possession of lobster trap gear belonging to another vessel;** and
- **exempt lobster trap gear retrieval by a substitute vessel from provisions of the exempted fishing regulations** when a Federally permitted vessel is inoperable or mechanically impaired.

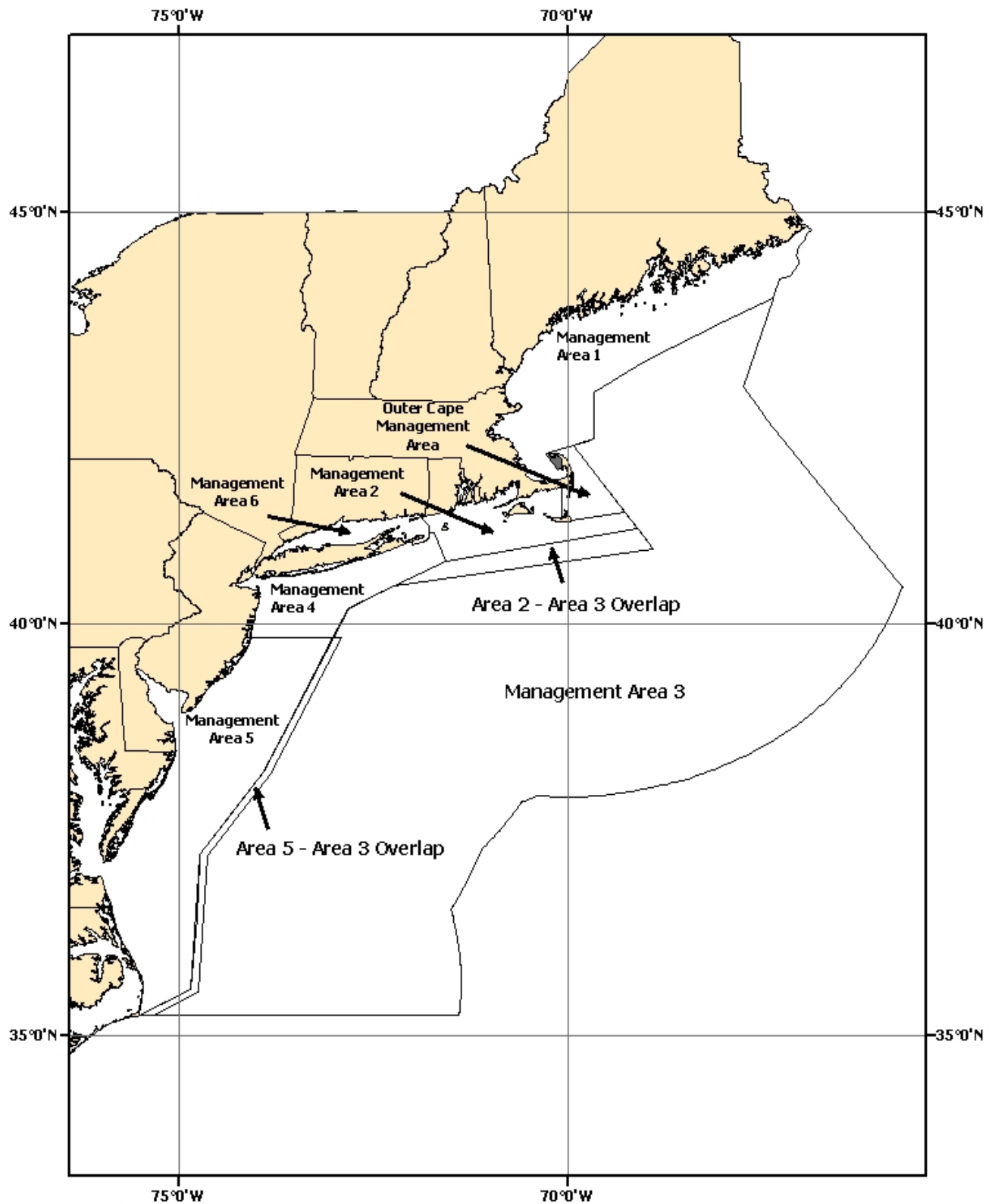
You are encouraged to obtain a complete copy of the final rule. In addition, copies of the American lobster Environmental Assessment/Regulatory Impact Review/Final Regulatory Flexibility Analysis (EA/RIR/FRFA) prepared for this regulatory action are available upon request. To obtain a copy of the final rule and the supporting documentation, please contact NMFS at (978) 281-9327, access the documents via the Northeast Regional Office website at: <http://www.nero.noaa.gov/> and click on Hot News, or write to Harold Mears, Director, State, Federal and Constituent Programs Office, NMFS, One Blackburn Drive, Gloucester, MA 01930. Thank you for your cooperation.

Sincerely,



Patricia A. Kurkul
Regional Administrator

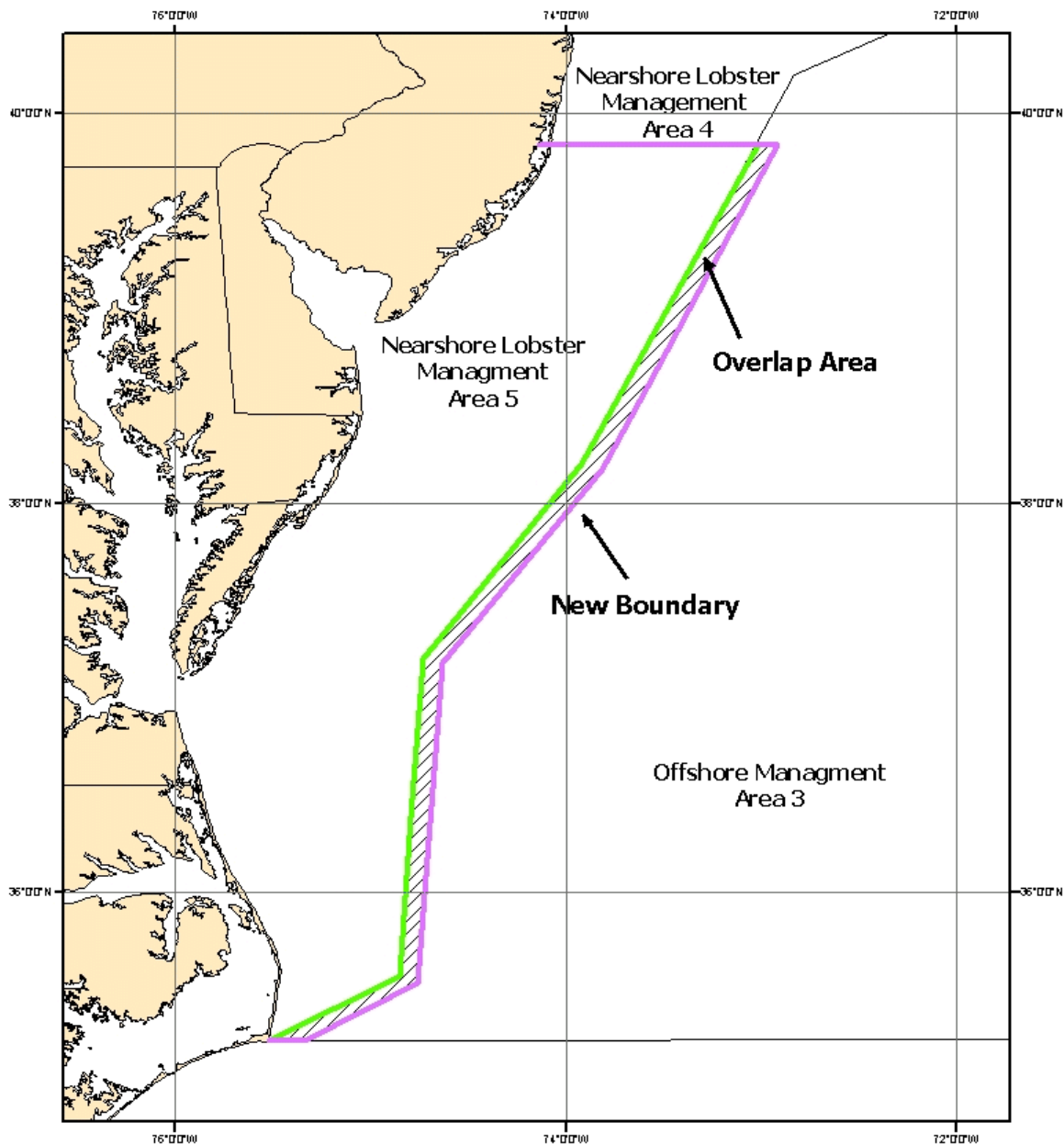
American Lobster Management Areas



NOAA Fisheries
Northeast Regional Office
Gloucester, MA

9/21/04

American Lobster Management Area 3/5 Overlap



NOAA Fisheries
Northeast Regional Office
Gloucester, MA

06/21/2004

American Lobster (*Homarus americanus*)

Sexual Identification via 1st Pair of Swimmerets

Viewed from the underside, the first pair of swimmerets (pleopods) are sexually dimorphic and represent the easiest way to define the sexes. In the male, these swimmerets are larger, bonier, and more tapered than those of the female.

Source: Bruce Estrella, MA Division of Marine Fisheries.

